

# Agenda reporting sheet

**Insert the date of meeting here:** 14<sup>th</sup> September 2023

<p><b>Agenda Item:</b></p> <p>Insert wording to appear on the agenda. The recommendation the motion/resolution that you are seeking i.e., “to resolve to...” “To note that ...”</p>	<p>Litter Bin update – Dunstall Road and Hopwas Woods.</p> <p>To consider the below information and next steps.</p>
<p><b>Background Information:</b></p> <p>Insert as much information as possible so that councillors have the detail, they need to make an informed decision e.g., cost, time, long term/short term project, where, how, when why??</p>	<p>At the meeting on 6<sup>th</sup> July 2023 it was <b>RESOLVED</b> to purchase a bin for Dunstall Lane and arrange collections from LDC. It was also <b>RESOLVED</b> to purchase a bin to be placed at Hopwas canal nr the pillbox (by the entrance to Hopwas Woods)</p> <p>For both bins, it was requested for the Clerk to collate suitable options for the receptacle, collections and location (where landowner permission can be sought) for the next meeting.</p> <p>Following this meeting the Clerk contacted the Taming the Valley Wetlands (TTTV) programme to see whether any further progress had been made establishing the landowner of the pillbox and contacted the Ministry of Defence (MoD) regarding the adjacent site to see whether they would give permission for a bin to be placed on their land.</p>

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TTTV had made no further progress regarding the ownership of the unregistered land and suggested canal & rivers trust own the bridge. MoD suggested that canals & rivers trust owned the bridge and pillbox may belong to them, however TTTV have already explored this avenue.

As the land owners cannot be established Clerk suggested that the Parish Council consider a temporary moveable bin (wheelie bin or sack holder on wheels padlocked to an existing tree / post etc.) perhaps with a notice that landowners could contact the PC if they objected to its siting.

[Mobile sackholder with lid | Slingsby](#) £89.99 plus VAT

- On 150mm dia. solid rubber tyred wheels.
- Made from steel.
- Capacity 50kg.
- Suitable for outdoor use.
- L x W x H: 580 x 470 x 940mm.

[Squire Lock and Chainset \(CP50/36\) - 4 Wheel Combination Padlock and Square Link Chain - Weatherproof Steel Chain Lock with Sleeve - Multipurpose, Heavy Duty Padlock & Chainset for High Security : Amazon.co.uk: DIY & Tools](#) £38.32 + VAT

Clerk carried out a site visit subsequently, there was some evidence of litter at the site but it was minimal. The walk from the nearest road / LDC Bin took nearly 10 minutes and the towpaths have many divots and muddy areas which may make it difficult to pull a wheelie bin / sack holder. In terms of risk assessments the council may need to consider the viability and safety of a contractor regularly pushing or pulling a bin

from and to this area. To collect and return the bin will take at least 40 minutes.

An alternative could be to pay the contractor to litter pick this area either weekly or once per month, this could perhaps be more frequent in the summer and less in the winter due to the variation in the number of visitors to the village. As the litter in the area was minimal in the height of summer the contractor should be able to carry the litter collected back along the towpath.

Placing a wheelie bin / sack holder each carry risks. A risk of fire with a wheelie bin and a risk of worse littering with a sack holder should any wildlife rip the sack apart. In addition due to the cut off location the addition of a bin could increase a risk in flytipping or household waste from passing barges being dumped in this area. Although the Parish Council do not own this land if we place a bin in the area we may end up being held responsible for clearing any waste left near to the bin especially if we remain unable to obtain permission from the landowner to do so.

Council may wish to consider the use of contractor to provide regular litter picking in this area as an alternative to placing an additional bin due to the difficulties in doing so.

LDC are happy to accept an extra bag a week placed next to an existing LDC bin the night before or morning of the existing collection day subject to no resident complaints regarding this.

	<p>Clerk has also contacted SCC regarding the bin on Dunstall Lane to ascertain whether the PC require permission to site a replacement bin either on or adjacent to the road sign with an alternative location at the entrance to the footpath also suggested as an alternative if a larger piece of land is required.</p> <p>Choice of style of receptacle will be based on whether the land adjacent to the bin belongs to SCC and whether PC need a permit / licence to dig to place the bin.</p>
<p><b>Background Documents:</b></p> <p>Insert names of documents to be sent out with the meeting papers.</p>	<p>n/a</p>

<p><b>Implications to be completed by the Clerk:</b></p> <p>Landowner consent will be required or an acceptance of the legal risk if Parish Council choose not obtaining consent, it may be worth taking some initial legal advice regarding the level of risk.</p> <p>The Parish Council have previously purchased the following item in RAL 6005 and added alloy banding and a laser cut Parish Council logo for both branding and longevity.</p> <p><a href="#">Derby Standard Litter Bin   External Litter Bins   Broxap</a> £325 per bin  Ground fixing spike £85 per bin  Alloy banding £40 per bin  Laser cut logo £45 per bin  Carriage £79  Total: £495 per bin plus £79 carriage (EX VAT)</p> <p>As the costs for emptying bins is fixed the Parish Council have previously chosen 120L bins over smaller bins and general waste bins can be used for both litter and dog waste and the larger capacity reduced the chances of the bins overflowing.</p>
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<p><b>Alternative supplier:</b></p> <p><a href="#">Glasdon Jubilee™ 110 Litter Bin with Free Delivery - Glasdon UK</a> £492 (EX VAT)</p> <p>Or alternatively the Parish Council could look at using a wheelie bin or similar for ease of emptying (if this could be suitably padlocked at the proposed location) <a href="#">Pedal Operated Wheeled Litter Bin - 100 Litre - Kingfisher Direct Ltd</a> £55.21</p>		
Staffing Implications	As Parish Council do not currently have any staffing resource this matter may need to be delayed until the new postholder has capacity. Work to identify landowners and obtain consent (or assess legal risk of not obtaining consent) will be required as well as ordering goods and arrange installation etc. This may be possible to carry out within any new Clerks contracted hours, however this may need to be considered for additional hours as new postholder will need to be focused on learning a new role.	
Council objectives:	This proposal is in line with the Councils objective to consider and promote ways of reducing litter and dog mess.  Actions from the Parish Plan 2023-25 for this objective are: To ensure that sufficient litter and dog-mess bins are provided and emptied regularly. To display appropriate warning notices throughout the village. Seek the support and cooperation of residents and visitors in keeping the village clean.	
Equalities & Human Rights	This decision is not expected to have any implications for the Council with regards to the public sector equality duty.	
Crime and Disorder	The Council should duly consider any potential issues in relation to crime and disorder when considering the location and material of any new bins.	
Biodiversity	This Council should duly consider their duty to conserve biodiversity when considering the location and material of any new bins.	
Financial	There are no financial implications at this stage	
	There will be financial implications	
	There is provision within the budget	
	Decisions may give rise to additional expenditure	✓
	Decisions may have potential for income generation	
Legal	Power to spend - Litter Act 1983, subsections 5 and 6	N/A
	GDPR - Data Privacy Impact Assessment	

	<p>Other considerations: Schedule 1 of the Litter Act 1983 Extract: A litter authority shall not carry out works under section 5 above in any such situation or position as is described except with the consent of the person described:</p> <ol style="list-style-type: none"> <li>1. In a street which is a highway for which the litter authority are not the highway authority. 1. The highway authority for the street.</li> <li>2. In a street belonging to and repairable by any railway, dock, harbour, canal, inland navigation or passenger road transport undertakers and forming the approach to a station, dock, wharf or depot of those undertakers. 2. The undertakers.</li> <li>3. On a bridge not vested in the litter authority or on the approaches to such a bridge. 3. The authority or other person in whom the bridge is vested.</li> <li>4. On a bridge carrying a street over a railway, canal or inland navigation, or on the approaches to such a bridge, or under a bridge carrying a railway, canal or inland navigation over a street. 4. The railway, canal or inland navigation undertakers concerned.</li> <li>5. In a position obstructing or interfering with any existing access to land or premises abutting upon a street. 5. The owner and the occupier of the land or premises.</li> </ol>
<p>Risk Management</p>	<p>Council overspend in 2023/24 – Parish Council have adequate reserves to mitigate this risk</p> <p>Issues with balancing assets and services throughout the Parish – Parish Council may risk criticism in terms of the balance of assets and services between Wigginton, Hopwas and Comberford. The Parish Council could mitigate this risk by consulting with residents throughout the Parish and identifying the priorities for each village. The Council may also wish to review the existing bin provision, the condition of existing bins and assess whether any other bins should be replaced as part of this proposal.</p> <p>Risk of contractor being absent or no longer working. Council should consider how to cover any periods of absence and how to continue the service should the contractor no longer wish to do so.</p>

**PLEASE NOTE**

Agenda item requests: these must be received by the Parish Clerk at least 6 working days before the meeting at which you would like your item to be considered.